

U. S. DEPARTMENT OF LABOR

Employees' Compensation Appeals Board

In the Matter of KATHERINE REAVIS and DEPARTMENT OF VETERANS AFFAIRS,
VETERANS ADMINISTRATION MEDICAL CENTER, Shreveport, LA

*Docket No. 00-2088; Submitted on the Record;
Issued May 22, 2001*

DECISION and ORDER

Before DAVID S. GERSON, BRADLEY T. KNOTT,
PRISCILLA ANNE SCHWAB

The issue is whether appellant sustained carpal tunnel syndrome in her right hand causally related to factors of her federal employment.

The Board has reviewed the case record and finds that appellant did not establish that her carpal tunnel syndrome was causally related to factors of her federal employment.

An employee seeking benefits under the Federal Employees' Compensation Act¹ has the burden of establishing the essential elements of his or her claim including the fact that the individual is an "employee of the United States" within the meaning of the Act, that the claim was timely filed within the applicable time limitation period of the Act, that an injury was sustained in the performance of duty as alleged and that any disability and/or specific condition for which compensation is claimed are causally related to the employment injury.² These are the essential elements of each compensation claim regardless of whether the claim is predicated upon a traumatic injury or an occupational disease.³

To establish that an injury was sustained in the performance of duty in an occupational disease claim, a claimant must submit the following: (1) medical evidence establishing the presence or existence of the disease or condition for which compensation is claimed; (2) a factual statement identifying employment factors alleged to have caused or contributed to the presence or occurrence of the disease or condition; and (3) medical evidence establishing that the employment factors identified by the claimant were the proximate cause of the condition for

¹ 5 U.S.C. §§ 8101-8193.

² *Elaine Pendleton*, 40 ECAB 1143, 1145 (1989).

³ *Delores C. Ellyett*, 41 ECAB 992, 994 (1990); *Ruthie M. Evans*, 41 ECAB 416, 423-25 (1990).

which compensation is claimed or, stated differently, medical evidence establishing that the diagnosed condition is causally related to the employment factors identified by the claimant.⁴

The medical evidence required to establish a causal relationship is rationalized medical opinion evidence. Rationalized medical opinion evidence is medical evidence which includes a physician's rationalized opinion on the issue of whether there is a causal relationship between the claimant's diagnosed condition and the implicated employment factors. The opinion of the physician must be based on a complete factual and medical background of the claimant, must be one of reasonable medical certainty, and must be supported by medical rationale explaining the nature of the relationship between the diagnosed condition and the specific employment factors identified by the claimant.⁵

Appellant, then a 50-year-old medical clerk, filed an occupational disease claim on June 14, 1999, alleging that the carpal tunnel syndrome in her right hand was caused by the repetitive motion of typing, using a computer, answering the telephone and writing. Appellant received medical care on March 1, 1999 from Dr. John T. Knight, and submitted a work release slip stating that she could return to work on March 26, 1999 and an employing establishment health record dated March 26, 1999. Appellant stopped work on June 15, 1999 when she underwent surgery for her condition and returned to work on June 28, 1999.

By letter dated July 14, 1999, the Office requested that appellant submit additional factual and medical information.

Appellant submitted a position description, a nerve conduction study, treatment notes dated from March 25 to July 9, 1999 and an April 6, 1999 report from Dr. J. Eric Bicknell, Board-certified in physical medicine and rehabilitation. The treatment notes diagnosed appellant with carpal tunnel syndrome,⁶ but the report from Dr. Bicknell found "no electrodiagnostic evidence of carpal tunnel syndrome."

By decision dated September 9, 1999, the Office denied appellant's claim on the grounds that the medical evidence was insufficient to establish a causal relationship between appellant's condition and her employment.

The Board finds that the medical evidence submitted by appellant does not contain a well-rationalized medical opinion relating her carpal tunnel syndrome to employment factors.⁷ There are no reports of record which address causal relationship or factors of appellant's employment. A claimant has the burden of establishing by the weight of the reliable, probative and substantial evidence that the condition for which compensation is claimed was caused or

⁴ *Vicky L. Hannis*, 48 ECAB 538 (1997).

⁵ *Delores C. Ellyett*, *supra* note 3; *Ruthie M. Evans*, *supra* note 3.

⁶ The physician's name is not listed, and the notes are illegible.

⁷ The Office also received an operative report dated June 15, 1999 and an additional report from Dr. Knight on January 25, 2000. Since these reports were received after the Office's final decision, the Board may not consider this evidence.

adversely affected by employment factors.⁸ The mere fact that a condition manifests itself during a period of employment does not raise an inference that there is a causal relationship between the two.⁹

Since the medical evidence submitted does not establish a causal relationship between appellant's carpal tunnel syndrome and her employment, appellant has not met her burden of proof in establishing her claim.

The September 9, 1999 decision of the Office of Workers' Compensation Programs is hereby affirmed.

Dated, Washington, DC
May 22, 2001

David S. Gerson
Member

Bradley T. Knott
Alternate Member

Priscilla Anne Schwab
Alternate Member

⁸ *Ronald C. Hand*, 49 ECAB 113 (1997).

⁹ *Dennis M. Mascarenas*, 49 ECAB 215 (1997).